



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
Ridley Creek State Park
Sycamore Mills Road
Media, PA 19063



CERTIFIED #750531

February 24, 1984

Mr. Paul Hortsmann
Ashland Chemical Company
2801 S. Delaware Avenue
Philadelphia, PA 19148

NOTICE OF VIOLATION

RE: Hazardous Waste Inspection
2/23/84
PAD 980 552 251

Dear Mr. Hortsmann:

This letter is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Chapters 75.260 through 75.267 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during our inspection are as follows:

Act 97, Section 401(a), - The generator has conducted hazardous waste storage in 75.267(b)(5), and a tank without a permit. Ignitable hazardous wastes 75.265(z)(10) have been accumulated in tank number 253 for about seven months, which exceeds the 90 day accumulation limit for generators.

75.262(g)(1)(v) and - The generator's personnel training program is not documented properly. The hazardous waste management training received by 75.265(f) the four personnel training program instructors has not been documented, as required. Also, the names, job descriptions, job titles, and training which is given were either not available or readily determined from existing records for those individuals who are directly involved with the hazardous waste management program. All training records should be complete, detailed, readily accessible and understandable to comply with the Department's Rules and Regulations. This is a "past due" violation, was supposed to have been corrected by April 25, 1982 and was corrected according to your June 29, 1982 letter to the Department. The Department is hereby requesting that you submit copies of all of the required documentation of your hazardous waste personnel training program no later than March 3, 1984 to this office. Also, in your absence from this facility, we suggest that one of your alternate emergency coordinators be given full access to all of the company's RCRA records and be

familiarized with their exact location in order to facilitate future RCRA inspections. As the Department informed you in 1982, we generally perform RCRA reinspections without appointments, since we are required to set up appointments for initial inspections only. Therefore, reinspections can, and do, occur at random.

- Act 97,
Section 403(b)(2) - Hazardous waste drums and tank 253 were not labelled to accurately identify the wastes which they contain. This is a "past due" violation was supposed to have been corrected by April 25, 1982, and was corrected according to your June 29, 1982 letter to the Department. The above-mentioned drums and tank should be properly labelled upon your receipt of this letter, rather than by March 23, 1984, as mentioned on the Department's RCRA inspection report. The Department will perform a reinspection within one week to determine if this violation has been corrected. Please note that the term "container" used in Act 97 is to be construed in its most general sense.
- 75.265(r)(8) and - Inspections of tank 253 are not properly logged, and the construction materials of, and the area immediately surrounding, the discharge confinement structures are not inspected. This tank and tank area should be properly inspected and logged, as required. The Department hereby requests that you submit copies of all of the required tank inspection logs no later than March 3, 1984 to this office. In addition, the Department is requesting a copy of your records which indicate what the levels and/or quantities of hazardous waste were, and are, in tank 253; these copies should span the period from July, 1983 to the present.
- 75.265(e)(5)
- 75.262(g)(1)(v) and - The Department has determined that your PPC plan should be revised. A full and detailed review of your plan is now being performed by the Department, which will send a review letter to you after the review is completed. This violation is "past due", was to have been corrected according to your June 29, 1982 letter to the Department. The plan was to have been developed according to Department guidelines, as required in 75.265(1)(4).
- 75.265(h-1)

You are hereby notified of both the existence of these violations as well as the need to provide for their prompt correction. Toward this end, you are to submit to the Department within fourteen (14) days a proposed program and schedule for abatement of these violations. The Department's inspection report contains time periods of completion of remedial actions. These reports are either enclosed or have been previously supplied to you. If your proposed abatement program indicates certain corrections cannot be completed within these time periods, you are requested to supply justification for any extensions.

Mr. Paul Hortsman
Ashland Chemical Company. . .

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This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at 565-1687.

Yours truly,

Robert Zang
Solid Waste Specialist

RZ:rn

cc: EPA/RCRA Enforcement Branch ✓
Richard Zipin
Commissioner Wm. C. Richmond
Div. of Hazardous Waste
George Danyliw
Bruce Beitler
Joseph Rogers
file

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